

ADD THE FOLLOWING CLAIMS

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-- 23. The invention according to Claim 1 further comprising an emanator material operatively associated with the volatile substance.

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24. The invention according to Claim 23, wherein the heating means is associated with at least a portion of the emanator material.

25. The invention according to Claim 1, wherein the heating means surround at least a portion of the housing.

26. The invention according to Claim 1, further including means for increasing circulation of air proximate at least one of the opening in the housing and an associated emanator material.

27. The invention according to Claim 26, wherein the circulation increasing means comprises a fan. --

REMARKS

The Examiner has identified numerous purportedly patentably distinct species of the claimed invention (Species A through Species M) and required that Applicant elect a single disclosed Species for prosecution on the merits. In response, Applicant provisionally elects, with traverse, Species M directed to Fig. 14. Applicant asserts that independent Claim 1 is a generic claim covering the elected Species. Furthermore, Applicant has added new Claims 23-27, which all depend from independent/generic Claim 1. It is submitted that all of these newly added claims read on Fig. 14 and are fully supported by the specification. Accordingly, no new matter has been added.

Although Applicant has provisionally elected Species M, such a provisional election is made with traverse inasmuch as it is submitted that Species J, Fig. 11; and Species L, Fig. 13, should also be examined at this time inasmuch as:

- 1) Claim 1 reads directly upon these two additional figures; and
- 2) Both of these figures, along with elected Fig. 14, are primarily directed to a "heating means," and accordingly, any search conducted with respect to elected Species M, would likewise cover the non-elected purported Species of Figs. 11 and 13.

It is respectfully submitted that combining two additional figures would not over burden the Examiner, and, in fact, would facilitate examination and prosecution of the presently pending application. Accordingly, it is respectfully requested that the Examiner examine Figs. 11, 13 and 14 at this time.

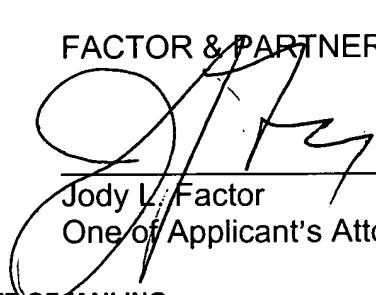
Applicant additionally notes that the deletion of the above-identified claims was done without prejudice. Accordingly, Applicant reserves its right for reconsideration of such claims after allowance of a generic claim.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully requested.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: November 4, 2002

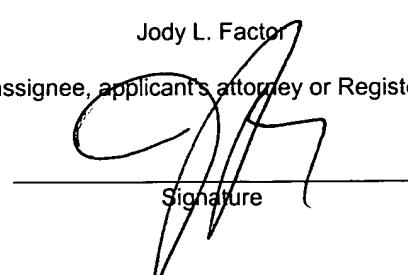

Jody L. Factor
One of Applicant's Attorneys

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on November 4, 2002.

Jody L. Factor

Name of Applicant, assignee, applicant's attorney or Registered Representative


Signature